



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/719,303	11/21/2003	Michael Bensimon	886-011604-US(PAR)	3004
2512	7590	09/10/2008	EXAMINER	
PERMAN & GREEN			ZIA, SYED	
425 POST ROAD			ART UNIT	PAPER NUMBER
FAIRFIELD, CT 06824			2131	
MAIL DATE		DELIVERY MODE		
09/10/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Attachment to Advisory Action

Response to Amendment

This office action is in response to remarks and amendment filed on August 18, 2008. Original application contains claim 1-21. Applicant currently amended claims 1-2, 4, and 16. The amendment filed have been entered and made of record. Therefore, presently Claims 1-22 are pending for further consideration.

Response to Arguments

Applicant's arguments filed August 18, 2008 have been fully considered but they are not persuasive because of the following reasons:

Regarding Claims 1-21 first applicant argued that in the cited prior art (CPA) [Julin et al. U. S. Patent 5,557,679] "*the relationship between the active card and the retailer terminal in the Julin is not a trust relationship.*", and also argued that cited prior art does not carry out "*a controlling a specific characteristic of the retailer radio terminal to determine whether or not the relationship with this terminal is a trust relationship*". Second, applicant further argued that "*it is respectfully submitted that Julin is not arranged to memorize an authentication algorithm or a characteristic of the radio terminal.*"

This is not found persuasive. Regarding first argument, cited prior art clearly teaches system and method of secure exchanges between the card and the terminal , where the central computer contains means for calculating Ksim on the basis of card information ICC-ID

transferred from the retailer place, means for generating IMSI, Ki and PUK, means for encrypting the latter ones, using the key Ksim and an A3/A8 algorithm, and means for DES line encryption, thus making the relationship between active card and terminal a secure and trustworthy relationship.

Regarding applicant second argument, It is disclosed in cited prior art that the systems operator informs the card manufacturer and the central computer about master key, DES and A3/A8 algorithms, and the central computer also about the retailer card key K1. The card manufacturer calculates Ksim for the respective card in a series to be sent to a certain retailer based on the DES algorithm, the master key and the card serial number. Ksim and the A3/A8 algorithm are loaded in the card along with card serial numbers before the card is sent to the retailer. Thus the mobile telephone system using personalized active card connected to system central computer via communication network with card identity and authentication to point terminal equipment.

Thus, the system of cited prior art teaches and describe a system and a method to establish a trust relationship between a mobile communication terminal and a SIM chip card or the like, in order to secure exchanges between the card and the terminal as claimed in claims 1-22.

The examiner will not interpret to read narrowly the claim language to read exactly from the specification, but will interpret the claim language in the broadest reasonable interpretation in view of the specification. Therefore, the examiner asserts that cited prior art does teach or suggest the subject matter broadly recited in independent and dependent claims. Accordingly, rejections for Claims 1-22 are respectfully maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SYED ZIA whose telephone number is (571)272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

sz

September 4, 2008

/Syed Zia/

Primary Examiner, Art Unit 2131